

IN THE CLAIMS

Please cancel claims 2-4, 16-18 and 30-32, and amend claims 1, 5-7, 15, 19-21, 29 and 33-35 as follows:

1. (CURRENTLY AMENDED) A method of measuring a mean time between program failures using customer error reporting, comprising:

- (a) maintaining information concerning the program failures at a customer's computer; and
- (b) transmitting the information to a vendor's computer;
- (c) wherein the information is used to measure the mean time between the program failures at the customer's computer, by maintaining a running count of the program failures and computing the mean time between program failures by dividing a time elapsed between first and last error reports received by the vendor by an increase in the running count during the time elapsed.

2. (CANCELED)

3. (CANCELED)

4. (CANCELED)

5. (CURRENTLY AMENDED) The method of claim [[4]] 1, wherein the mean time between program failures is averaged over all users.

6. (CURRENTLY AMENDED) The method of claim [[2]] 1, wherein the running count of program failures is maintained per user.

7. (CURRENTLY AMENDED) The method of claim [[2]] 1, wherein the running count of program failures is maintained per program version.

8. (ORIGINAL) The method of claim 1, wherein the information further comprises a unique identifier for the program.

9. (ORIGINAL) The method of claim 8, wherein the information further comprises a unique identifier for each user of the program.

10. (ORIGINAL) The method of claim 8, wherein the information further comprises a unique identifier for each version of the program.

11. (ORIGINAL) The method of claim 1, further comprising storing start and end times for each time the program is used on the customer's computer in order to determine a total running time for the program.

12. (ORIGINAL) The method of claim 11, further comprising measuring any idle time during each use of the program and subtracting the idle time from the total running time in order to compute an actual running time for the program.

13. (ORIGINAL) The method of claim 12, further comprising computing a ratio of the actual running time of the program and a running count of the program failures.

14. (ORIGINAL) The method of claim 13, further comprising computing the ratio of the actual running time of the program and the running count of the program failures, averaged over all users.

15. (CURRENTLY AMENDED) An apparatus for measuring a mean time between program failures using customer error reporting, comprising:

one or more computers; and

logic means, performed by the computers, for:

(a) maintaining information concerning the program failures at a customer's computer; and

(b) transmitting the information to a vendor's computer;

(c) wherein the information is used to measure the mean time between the program failures at the customer's computer, by maintaining a running count of the program failures and computing the mean time between program failures by dividing a time elapsed between

first and last error reports received by the vendor by an increase in the running count during the time elapsed.

16. (CANCELED)

17. (CANCELED)

18. (CANCELED)

19. (CURRENTLY AMENDED) The apparatus of claim [[18]] 15, wherein the mean time between program failures is averaged over all users.

20. (CURRENTLY AMENDED) The apparatus of claim [[16]] 15, wherein the running count of program failures is maintained per user.

21. (CURRENTLY AMENDED) The apparatus of claim [[16]] 15, wherein the running count of program failures is maintained per program version.

22. (ORIGINAL) The apparatus of claim 15, wherein the information further comprises a unique identifier for the program.

23. (ORIGINAL) The apparatus of claim 22, wherein the information further comprises a unique identifier for each user of the program.

24. (ORIGINAL) The apparatus of claim 22, wherein the information further comprises a unique identifier for each version of the program.

25. (ORIGINAL) The apparatus of claim 15, further comprising logic for storing start and end times for each time the program is used on the customer's computer in order to determine a total running time for the program.

26. (ORIGINAL) The apparatus of claim 25, further comprising logic for measuring any idle time during each use of the program and subtracting the idle time from the total running time in order to compute an actual running time for the program.

27. (ORIGINAL) The apparatus of claim 26, further comprising logic for computing a ratio of the actual running time of the program and a running count of the program failures.

28. (ORIGINAL) The apparatus of claim 27, further comprising logic for computing the ratio of the actual running time of the program and the running count of the program failures, averaged over all users.

29. (CURRENTLY AMENDED) An article of manufacture comprising a program storage device embodying logic instructions that, when executed by a computer, cause the computer to perform a method for measuring a mean time between program failures using customer error reporting, the logic comprising:

- (a) maintaining information concerning the program failures at a customer's computer; and
- (b) transmitting the information to a vendor's computer;

(c) wherein the information is used to measure the mean time between the program failures at the customer's computer, by maintaining a running count of the program failures and computing the mean time between program failures by dividing a time elapsed between first and last error reports received by the vendor by an increase in the running count during the time elapsed.

30. (CANCELED)

31. (CANCELED)

32. (CANCELED)

33. (CURRENTLY AMENDED) The article of claim ~~[[32]]~~ 29, wherein the mean time between program failures is averaged over all users.

34. (CURRENTLY AMENDED) The article of claim ~~[[30]]~~ 29, wherein the running count of program failures is maintained per user.

35. (CURRENTLY AMENDED) The article of claim ~~[[30]]~~ 29, wherein the running count of program failures is maintained per program version.

36. (CURRENTLY AMENDED) The article of claim ~~[[29]]~~ 30, wherein the information further comprises a unique identifier for the program.

37. (ORIGINAL) The article of claim 36, wherein the information further comprises a unique identifier for each user of the program.

38. (ORIGINAL) The article of claim 36, wherein the information further comprises a unique identifier for each version of the program.

39. (ORIGINAL) The article of claim 29, further comprising storing start and end times for each time the program is used on the customer's computer in order to determine a total running time for the program.

40. (ORIGINAL) The article of claim 39, further comprising measuring any idle time during each use of the program and subtracting the idle time from the total running time in order to compute an actual running time for the program.

41. (ORIGINAL) The article of claim 40, further comprising computing a ratio of the actual running time of the program and a running count of the program failures.

42. (ORIGINAL) The article of claim 41, further comprising computing the ratio of the actual running time of the program and the running count of the program failures, averaged over all users.